

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1631

Chapter 449, Laws of 2005

59th Legislature
2005 Regular Session

CONSERVATION FUTURES

EFFECTIVE DATE: 7/24/05

Passed by the House April 18, 2005
Yeas 92 Nays 3

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 7, 2005
Yeas 46 Nays 3

BRAD OWEN

President of the Senate

Approved May 13, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1631** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 13, 2005 - 2:50 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1631

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Clibborn, Fromhold, Moeller, Wallace and Jarrett)

READ FIRST TIME 02/23/05.

1 AN ACT Relating to using revenues under the county conservation
2 futures levy; and amending RCW 84.34.230 and 84.34.240.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 84.34.230 and 1995 c 318 s 8 are each amended to read
5 as follows:

6 Conservation futures are a useful tool for counties to preserve
7 lands of public interest for future generations. Counties are
8 encouraged to use some conservation futures as one tool for salmon
9 preservation purposes.

10 For the purpose of acquiring conservation futures (~~as well as~~)
11 and other rights and interests in real property pursuant to RCW
12 84.34.210 and 84.34.220, and for maintaining and operating any property
13 acquired with these funds, a county may levy an amount not to exceed
14 six and one-quarter cents per thousand dollars of assessed valuation
15 against the assessed valuation of all taxable property within the
16 county. The limitations in RCW 84.52.043 shall not apply to the tax
17 levy authorized in this section. Any rights or interests in real
18 property acquired under this section after the effective date of this
19 section must be located within the assessing county. Further, the

1 county must determine if the rights or interests in real property
2 acquired with these funds would reduce the capacity of land suitable
3 for development necessary to accommodate the allocated housing and
4 employment growth, as adopted in the countywide planning policies.
5 When actions are taken that reduce capacity to accommodate planned
6 growth, the jurisdiction shall adopt reasonable measures to increase
7 the capacity lost by such actions.

8 **Sec. 2.** RCW 84.34.240 and 1971 ex.s. c 243 s 5 are each amended to
9 read as follows:

10 Conservation futures are a useful tool for counties to preserve
11 lands of public interest for future generations. Counties are
12 encouraged to use some conservation futures as one tool for salmon
13 preservation purposes.

14 (1) Any board of county commissioners may establish by resolution
15 a special fund which may be termed a conservation futures fund to which
16 it may credit all taxes levied pursuant to RCW 84.34.230. Amounts
17 placed in this fund may be used (~~solely~~) for the purpose of acquiring
18 rights and interests in real property pursuant to the terms of RCW
19 84.34.210 and 84.34.220, and for the maintenance and operation of any
20 property acquired with these funds. The amount of revenue used for
21 maintenance and operations of parks and recreational land may not
22 exceed fifteen percent of the total amount collected from the tax
23 levied under RCW 84.34.230 in the preceding calendar year. Revenues
24 from this tax may not be used to supplant existing maintenance and
25 operation funding. Any rights or interests in real property acquired
26 under this section must be located within the assessing county.
27 Further, the county must determine if the rights or interests in real
28 property acquired with these funds would reduce the capacity of land
29 suitable for development necessary to accommodate the allocated housing
30 and employment growth, as adopted in the countywide planning policies.
31 When actions are taken that reduce capacity to accommodate planned
32 growth, the jurisdiction shall adopt reasonable measures to increase
33 the capacity lost by such actions.

34 (2) In counties greater than one hundred thousand in population,
35 the board of county commissioners or county legislative authority shall
36 develop a process to help ensure distribution of the tax levied under
37 RCW 84.34.230, over time, throughout the county.

1 (3)(a) Between the effective date of this section and July 1, 2008,
2 the county legislative authority of a county with a population density
3 of fewer than four persons per square mile may enact an ordinance
4 offering a ballot proposal to the people of the county to determine
5 whether or not the county legislative authority may make a one-time
6 emergency reallocation of unspent conservation futures funds to pay for
7 other county government purposes, where such conservation futures funds
8 were originally levied under RCW 84.34.230 but never spent to acquire
9 rights and interests in real property.

10 (b) Upon adoption by the county legislative authority of a ballot
11 proposal ordinance under (a) of this subsection the county auditor
12 shall: (i) Confer with the county legislative authority and review any
13 proposal to the people as to form and style; (ii) give the ballot
14 proposal a number, which thereafter shall be the identifying number for
15 the proposal; (iii) transmit a copy of the proposal to the prosecuting
16 attorney; and (iv) submit the proposal to the people at the next
17 general or special election that is not less than ninety days after the
18 adoption of the ordinance by the county legislative authority.

19 (c) The county prosecuting attorney shall within fifteen working
20 days of receipt of the proposal compose a concise statement, posed as
21 a positive question, not to exceed twenty-five words, which shall
22 express and give a true and impartial statement of the proposal. Such
23 concise statement shall be the ballot title.

24 (d) If the measure is affirmed by a majority voting on the issue it
25 shall become effective ten days after the results of the election are
26 certified.

27 (4) Nothing in this section shall be construed as limiting in any
28 manner methods and funds otherwise available to a county for financing
29 the acquisition of such rights and interests in real property.

Passed by the House April 18, 2005.

Passed by the Senate April 7, 2005.

Approved by the Governor May 13, 2005.

Filed in Office of Secretary of State May 13, 2005.